

### **LISTING OF THE CLAIMS**

#### **In the Claims:**

1. (Currently Amended) A vaginal indwelling thermometer in which the thermometer comprises temperature sensing means, and signal means for providing a continued indication that a predetermined threshold body temperature has been exceeded, integral with means to store temperature data generated by the temperature sensing means and which signal means provides a mechanical indication that the temperature has been exceeded, **wherein said vaginal indwelling thermometer is configured to be left in a vagina of a subject for a long period of time without causing discomfort to said subject and without being easily lost.**

2. (Original) An indwelling thermometer according to claim 1, in which the signal is selected from the group comprising the movement of an indicator device, the release of a marker dye, vibration of the thermometer, and activation of a buzzer or alarm.

3. (Previously Presented) An indwelling thermometer according to claim 1, in which temperature sensing means is electronic, chemical or mechanical.

4. (Previously Presented) An indwelling thermometer according to claim 1, in which the temperature sensing means comprises a thermochromatic dye, a wax or grease with a specific melting point, a thermodeformable plastics material, a thermocouple linkage, a thermistor or a printed circuit board.

5. (Previously Presented) An indwelling thermometer according to claim 1, in which the thermometer comprises an enclosed hollow container comprising two chambers separated by a waisted portion of the container.

6. (Previously Presented) An indwelling thermometer according to claim 5, in which the waisted portion of the container contains the temperature sensing means.

7. (Original) An indwelling thermometer according to claim 6, in which the temperature sensing means is a wax or grease, the melting point of which is at or close to the predetermined threshold temperature.

8. (Previously Presented) An indwelling thermometer according claim 1, in which the signal means is a marker dye contained in one chamber of the container only.

9. (Previously Presented) An indwelling thermometer according to claim 1, in which the data relates to temperatures below and above the predetermined threshold.

10. (Original) An indwelling thermometer according to claim 9, in which the predetermined threshold is selected by a computer program.

11. (Original) An indwelling thermometer according to claim 10, in which the program is contained within the thermometer.

12. (Previously Presented) An indwelling thermometer according to claim 1, in which the thermometer is formed from a plastics material with a thermochromatic pigment or ink incorporated therein.

13. (Original) An indwelling thermometer according to claim 12, in which temperature sensing means comprises the thermochromatic pigment or ink and the signal means comprises a fixative to prevent the thermochromatic pigment or ink reverting to its original colour.

14. (Previously Presented) A kit of thermometers to establish the predetermined threshold temperature of an individual subject mammal, the kit comprising a series of thermometers according to claim 1, each thermometer detecting a different predetermined threshold temperature across a range of temperatures.

15. (Original) A kit according to claim 14, in which the temperature range is from 35-45 °C.

16. (Previously Presented) Use of an indwelling thermometer according to claim 14, in which the mammal is a human.

17. (Original) Use of an indwelling thermometer according to claim 16, in a human female.

18. (Original) Use according to claim 17 for the detection of ovulation.

19. (Previously Presented) A method of determining ovulation, the method comprising the steps of inserting a thermometer according to claim 1 into the ear or vagina of a subject mammal, allowing said thermometer to indwell, and periodically observing the signal means to detect a signal.

20. (Original) A method according to claim 19, in which the mammal is a human female.

21. (Previously Presented) A method of determining infection of a mammal, the method comprising the steps of inserting a thermometer according to claim 1 into an ear or vagina of a subject mammal, allowing said thermometer to indwell, and periodically observing the signal means to detect a signal.

Please enter the following new claim:

22. (New) The vaginal indwelling thermometer according to claim 1, wherein said thermometer is configured to be left in a vagina for at least one complete menstrual cycle.